



PLANNING COMMISSION AGENDA

NAT DIBUDUO, Chair

Commission Members
LEE BRAND, Vice Chair
NUEL BROWN
JEFFREY HARRINGTON
HAL KISSLER
CHARLES VANG
JENNIFER WHITE

Planning and Development
Director/Secretary
NICK P. YOVINO

Deputy City Attorney
KATHRYN C. PHELAN

The Planning Commission welcomes you to this meeting.

February 4, 2004

Wednesday

6:00 p.m. to 9:30 p.m.

COUNCIL CHAMBER

2600 FRESNO STREET

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call Planning and Development staff at 621-8277.

Metered parking is in effect throughout the downtown area. The general public wishing to attend a Planning Commission meeting at City Hall may park after 5 p.m. in the parking lot at the northeast corner of Tulare and P Streets or in the parking lot east of City Hall across the railroad tracks. Both parking lots have entrances from Tulare Street, and parking restrictions have been relaxed in these lots for those in attendance at the Planning Commission meeting.

I. ROLL CALL

II. PLEDGE OF ALLEGIANCE

III. PROCEDURES

In accordance with Section 13 of Article 2 of the Planning Commission Rules and Regulations governing length of public debate, all testimony given will be limited to five minutes per person. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with a soft bell ring when one minute is remaining. The speaker should be completing the testimony by the time the red light comes on with a final bell indicating that time has expired.

If you challenge these land use matters in court, you may be limited to raising only those issues you or someone else raised in oral or written testimony at or before the close of the hearing.

For each matter considered by the Commission, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from supporters of the project will then be taken, followed by testimony from those in opposition. The applicant will have the right to a final rebuttal presentation prior to closing the public hearing.

IV. AGENDA APPROVAL

- A. Consent Calendar Requests
- B. Continuance Requests
- C. Other Agenda Changes

V. CONSENT CALENDAR

All Consent Calendar items are considered by the Planning Commission to be routine and will be enacted in one motion. There will be no separate discussion of these items unless requested, in which event the items will be removed from the Consent Calendar and considered prior to approval of the Consent Calendar. If any member of the public wishes to have a specific item removed for discussion, be present when the meeting is called to order and the Chair announces the Consent Calendar. Commission approval of Consent Calendar items for which there is no discussion shall constitute adoption of the staff recommendation.

A. Minutes – Approve minutes for meeting of December 17, 2003.

B. Communications

- 1. In accordance with Fresno Municipal Code Section 12-1005.2, notice of approval by the Planning and Development Director of revised Tentative Tract Map No. T-5184/UGM, filed by Valley Pacific Builders, Inc., (represented by Lars Andersen & Associates).

C. Entitlements

VI. REPORTS BY COMMISSIONERS

VII. CONTINUED MATTERS

VIII. NEW MATTERS

- A. Consideration of Plan Amendment Application No. A-03-08, Rezone Application No. R-03-50 and environmental findings, filed by Ephesians Management Group, for a 1.94 acre site located at 941 West Dakota Avenue on the south side of West Dakota Avenue, west of North Teilman Avenue.
1. Environmental Assessment No. A-03-08, R-03-50, determination of initial study to file a Mitigated Negative Declaration.
 2. Plan Amendment Application No. A-03-08, requesting an amendment of the Fresno High-Roeding Community Plan from the medium density residential to the medium-high density residential land use designation.
 3. Rezone Application No. R-03-50, requesting to rezone the subject property from the R-A (*Single Family Residential – Agricultural*) zone district to the R-2-A (*Low Density Multiple Family Residential – One Story*) zone district.
 - Fresno High-Roeding Community Plan Area
 - Council District 1 (Councilmember Boyajian)
 - Staff Member: Aprile James
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council
- B. Consideration of Rezone Application No. R-03-17, Vesting Tentative Tract Map No. 5141/UGM and environmental findings filed by Lennar Homes, for 35 acres of property located on the south side of West Herndon Avenue, between North Grantland Diagonal (alignment) and North Polk Avenue.
1. Environmental Assessment No. R-03-17, T-5141, determination of initial study to file a Mitigated Negative Declaration.
 2. Rezone Application No. R-03-17 proposes to rezone the site from the AE-5/UGM (*Five Acre Exclusive Agricultural/Urban Growth Management*) zone district to the R-1/EA/UGM (*Single Family Residential/Expressway Area/Urban Growth Management*) zone district.
 3. Vesting Tentative Tract Map No. 5141/UGM proposes to subdivide the site into 144 single family residential lots.
 - Bullard Community Plan Area
 - Council District 2 (Councilmember Calhoun)
 - Staff Member: Shelby Chamberlain
 - Staff Recommendation: Approve Tract; Recommend Approval of Rezone
 - Will be considered by City Council

VIII. NEW MATTERS - Continued

- C. Consideration of Rezone Application No. R-03-47, Vesting Tentative Tract Map No. 5169/UGM and Conditional Use Permit Application No. C-03-169 filed by Patriot Homes and McKinley Ventures LLC (represented by Harbour & Associates). The subject property is a 19.45 acre parcel (APN 312-101-44) located on the south side of West McKinley Avenue between North Cornelia and North Polk Avenues.
1. Environmental Assessment No. T-5169, R-03-47, C-03-169, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-03-47, requesting to rezone the subject property from the County's RR (*Rural Residential*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district. The previous rezoning expired on the subdivision land and the well site, so the City's water well site is being included in R-03-47.
 3. Vesting Tentative Tract Map No. 5169/UGM, proposing a 99-lot single family residential subdivision with one outlot.
 4. Conditional Use Permit Application No. C-03-169, proposing that this subdivision be a planned development with public streets and having 25% or fewer of its lots reduced below 6,000 square feet in size.
 - West Area Community Plan Area
 - Council District 4 (Councilmember Boyajian)
 - Staff Member: Sandra Brock
 - Staff Recommendation: Approve Tract and Conditional Use Permit; Recommend Approval of Rezone
 - Will be considered by City Council

VIII. NEW MATTERS - Continued

- D. Consideration of Vesting Tentative Tract Map No. 5228/UGM, Rezone Application No. R-03-48, and Conditional Use Permit Application No. C-03-250, filed by Granville Homes and Kenneth J. Elia, on behalf of Douglas Poochigian, for the development of approximately 20.2 acres located on the west side of South Fowler Avenue between East Church Avenue and the East California Avenue alignment.
1. Environmental Assessment No. R-03-48, T-5228, C-03-250, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-03-48, requesting to rezone the project site from the AE-5/UGM (*Exclusive Five-Acre Agricultural/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.
 3. Vesting Tentative Tract Map No. 5228/UGM, proposing a 72-lot single family residential subdivision.
 4. Conditional Use Permit Application No. C-03-250, proposing that the 72 lots of proposed Tract No. 5228 and the 189 lots of Final Map No. 5135 (immediately adjacent) be allowed to reduce front yard setback of 15 feet to allow for a “swing garage” oriented perpendicular to main residence.
 - Roosevelt Community Plan Area
 - Council District 5 (Councilmember Dages)
 - Staff Member: Dawn Marple
 - Staff Recommendation: Approve Tract and Conditional Use Permit; Recommend Approval of Rezone
 - Will be considered by City Council
- E. Consideration of Rezone Application No. R-03-67 and environmental findings, filed by Gerald Weil, for approximately a 1.0 acre site located at 7579 North Cedar Avenue on the west side of North Cedar Avenue between East Alluvial and East Cromwell Avenues.
1. Environmental Assessment No. R-03-67, determination of initial study to file a Finding of Conformance with the MEIR No. 10130 for the 2025 Fresno General Plan.
 2. Rezone Application No. R-03-67, requesting to modify some of the conditions of zoning that were placed on the property through Rezone Application No. R-91-21. The zone district will remain R-P/UGM/cz (*Residential and Professional Office District/Urban Growth Management/conditional of zoning*).
 - Woodward Park Community Plan Area
 - Council District 6 (Councilmember Duncan)
 - Staff Member: Dawn Marple
 - Staff Recommendation: Recommend Approval
 - Will be considered by Council

VIII. NEW MATTERS - *Continued*

F. Consideration of Text Amendment No. TA-03-01 and environmental findings, initiated by the Planning and Development Department Director to add "Bookstore, not to exceed 2,500 square feet in floor area," to the C-P zone district, subject to a conditional use permit (Section 12-216.3-B-1.5 of the Fresno Municipal Code).

1. Environmental Assessment No. TA-03-01, determination of a Categorical Exemption from the requirements of CEQA.
2. Text Amendment No. TA-03-01, as described above.
 - City-Wide Application
 - Staff Member: David Stiglich
 - Staff Recommendation: Recommend Approval
 - Will be considered by City Council

G. Workshop on Housing (presented by Jesse Avila, Assistant City Attorney).

IX. REPORT FROM SECRETARY

X. UNSCHEDULED ORAL COMMUNICATIONS

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission agenda should contact the Planning and Development Department, (559) 621-8277, at least 10 days before the desired appearance date.

XI. ADJOURNMENT